

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	<b>Mail Stop Amendment</b>
Toshiharu Mitani et al.	)	
Application No.: 10/089,680	)	Group Art Unit: 1743
Filed: April 3, 2002	)	Examiner: BRIAN J SINES
For: METHOD FOR CONTROLLING	)	Confirmation No.: 5520
PRODUCTION PROCESS	)	

**RESPONSE TO NOTICE OF  
NON-COMPLIANT AMENDMENT (37 CFR 1.121)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:


This is a reply to the Notice of Non-Compliant Amendment (37 CFR 1.121), dated December 19, 2005. Submitted herewith is a corrected "LISTING OF CLAIMS" section of the Amendment filed on December 7, 2005, which includes the proper status identifier of Claim 1.

Should the Examiner have any questions regarding this reply, the undersigned can be reached at the number below.

Respectfully submitted,

BUCHANAN INGERSOLL PC (INCLUDING ATTORNEYS FROM  
BURNS DOANE SWECKER & MATHIS)

Date: Dec. 22, 2005

By:   
Edward A. Brown  
Registration No. 35,033

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Toshiharu Mitani et al.

Application No.: 10/089,680

Filing Date: April 3, 2002

Title: METHOD FOR CONTROLLING PRODUCTION PROCESS

Group Art Unit: 1743

Examiner: BRAIN J SINES

Confirmation No.: 5520

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

☐ A Petition for Extension of Time is also enclosed.

☐ Terminal Disclaimer(s) and the ☐ \$65.00 (2814) ☐ \$130.00 (1814) fee per Disclaimer due under 37 C.F.R. § 1.20(d) are also enclosed.

☐ Also enclosed is/are \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ Small entity status is hereby claimed.

☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$395.00 (2801) ☐ \$790.00 (1801) fee due under 37 C.F.R. § 1.17(e).

☐ Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.

☐ Applicant(s) previously submitted \_\_\_\_\_  
\_\_\_\_\_  
on \_\_\_\_\_  
for which continued examination is requested.

☐ Applicant(s) requests suspension of action by the Office until at least \_\_\_\_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

- ☒ No additional claim fee is required.
- ☐ An additional claim fee is required, and is calculated as shown below.

AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims		MINUS =	0	x \$50.00 (1202) =	\$ 0.00
Independent Claims		MINUS =	0	x \$200.00 (1201) =	\$ 0.00
If Amendment adds multiple dependent claims, add \$360.00 (1203)					
Total Claim Amendment Fee					\$ 0.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					\$ 0.00
<b>TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT</b>					<b>\$ 0.00</b>

- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the fee due.
- ☐ Charge \_\_\_\_\_ to Deposit Account No. 02-4800.
- ☐ Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.


Respectfully submitted,

BUCHANAN INGERSOLL PC

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: Dec. 22, 2005

By

  
\_\_\_\_\_  
Edward A. Brown  
Registration No. 35,033